

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

WOLLMUTH MAHER & DEUTSCH LLP

Paul R. DeFilippo, Esq.
500 Fifth Avenue
New York, New York 10110
Telephone: (212) 382-3300
Facsimile: (212) 382-0050
pdefilippo@wmd-law.com

JONES DAY

Gregory M. Gordon, Esq.
Brad B. Erens, Esq.
Dan B. Prieto, Esq.
Amanda Rush, Esq.
2727 N. Harwood Street
Dallas, Texas 75201
Telephone: (214) 220-3939
Facsimile: (214) 969-5100
gmgordon@jonesday.com
bberens@jonesday.com
dbprieto@jonesday.com
asrush@jonesday.com
(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTOR

In re:

LTL MANAGEMENT LLC,¹

Debtor.

LTL MANAGEMENT LLC,

Plaintiff,

v.

THOSE PARTIES LISTED ON APPENDIX A TO
COMPLAINT and JOHN AND JANE DOES 1-1000,

Defendants.

Chapter 11

Case No.: 21-30589 (MBK)

Judge: Michael B. Kaplan

Adv. No.: 21-3032 (MBK)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING FEBRUARY 14 THROUGH FEBRUARY 18, 2022 AT 9:00 A.M.**

*Parties are directed to <https://www.njb.uscourts.gov/LTL>
for appearing via Court-Solutions or in-person, or observing via zoom*

¹ The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

MATTERS NOT GOING FORWARD IN THE BASE CASE

1. Debtor's Motion for an Order Authorizing Establishment of a Qualified Settlement Fund for Payment of Talc Claims [Dkt. 8].

Status: This matter has been adjourned to March 30, 2022.

2. Debtor's Motion for an Order (A) Authorizing the Filing Under Seal of Certain Confidential and Commercial Information in Connection with the QSF Motion and (B), if Necessary, In Camera Hearing [Dkt. 9].

Status: This matter has been adjourned to March 30, 2022.

MATTERS GOING FORWARD IN THE BASE CASE

UNCONTESTED MATTER GOING FORWARD

3. Motion to Seal Arnold & Itkin LLP Reply in Support of Motion to Dismiss Bankruptcy Case and Related Exhibits [Dkt. 1356] (the "A&I Motion to Seal").

Status: This matter is going forward on February 14, 2022.

Related Documents:

- A. Arnold & Itkin LLP Reply in Support of Motion to Dismiss Bankruptcy Case [Dkt. 1354] ("A&I Reply").

Objections Received: None to date.

4. Motion of Official Committee of Talc Claimants I (the "Talc Committee I") to Seal the Report of Saul E. Burian in Support of the Response to Debtor's Motion in Limine to Strike Certain Testimony of Saul E. Burian [Dkt. 1435].

Status: This matter is going forward on February 14, 2022.

Related Documents:

- A. Response of Talc Committee I to Debtor's Motion in Limine [Dkt. 1434].

Objections Received: None to date.

CONTESTED MATTERS GOING FORWARD

5. Motion of the Official Committee of Talc Claimants to Dismiss Debtor's Chapter 11 Case [Dkt. 632] (the "Talc Committee Motion to Dismiss").

Status: This matter is going forward on February 14, 2022.

Objection Deadline: December 22, 2021

Related Documents:

- A. Official Committee of Talc Claimants' (the "Talc Committee") December 6, 2021 Letter to the Court [Dkt. 730].
- B. Debtor's December 7, 2021 Letter to the Court [Dkt. 735].
- C. Talc Committee's December 7, 2021 Letter to the Court [Dkt. 738].
- D. Talc Committee's December 13, 2021 Letter to the Court [Dkt. 808].
- E. Debtor's December 14, 2021 Letter to the Court [Dkt. 821].
- F. Joinder of Aylstock, Witkin, Kreis & Overholtz, PLLC to Talc Committee Motion to Dismiss and Arnold & Itkin LLP Motion to Dismiss [Dkt. 1003] (the "AWKO Joinder").
- G. Joinder of Claimants Represented by the Barnes Law Group to Talc Committee Motion to Dismiss and Arnold & Itkin LLP Motion to Dismiss [Dkt. 1092] (the "Barnes Law Group Joinder").
- H. Official Committee of Talc Claimants II's (the "Talc Committee II") January 13, 2022 Letter to the Court [Dkt. 1140].
- I. Talc Committee I's January 13, 2022 Letter to the Court [Dkt. 1141].
- J. Debtor's January 14, 2022 Letter to the Court [Dkt. 1150].
- K. Talc Committee II's January 21, 2022 Letter to the Court [Dkt. 1232].
- L. Debtor's January 23, 2022 Letter to the Court [Dkt. 1242].
- M. Talc Committee II's January 31, 2022 Letter to the Court [Dkt. 1325].
- N. Talc Committee II's February 1, 2022 Letter to the Court [Dkt. 1333].
- O. Talc Committee II's February 1, 2022 Letter to the Court [Dkt. 1337].
- P. Debtor's February 1, 2022 Letter to the Court [Dkt. 1338].

- Q. Debtor's February 1, 2022 Letter to the Court [Dkt. 1339].
- R. Debtor's February 2, 2022 Letter to the Court [Dkt. 1340].
- S. The A&I Reply.
- T. The A&I Motion to Seal.
- U. Reply of Talc Committee I in Support of the Talc Committee Motion to Dismiss [Dkt. 1357] (the "Talc Committee I Reply").
- V. Talc Committee II's Reply in Support of the Talc Committee Motion to Dismiss [Dkt. 1358] (the "Talc Committee II Reply").
- W. Memorandum of Law of Amici Curiae by Certain Law Professors in Support of the Talc Committee Motion to Dismiss [Dkt. 1384].
- X. Memorandum of Law of Amicus Curiae by Erwin Chemerinsky in Support of the Talc Committee Motion to Dismiss [Dkt. 1396].
- Y. Memorandum of Law of Amici Curiae by Certain Complex Litigation Law Professors in Support of the Talc Committee Motion to Dismiss [Dkt. 1410].
- Z. Talc Committee II's February 7, 2022 Letter to the Court [Dkt. 1413].
- AA. Motion in Limine (a/k/a Daubert Motion) of Talc Committee II to Exclude Reports and Testimony of Debtor's Proffered Expert Witnesses John R. Castellano and Gregory K. Bell [Dkt. 1416].
- BB. Debtor's Motion in Limine to Exclude Reports and Testimony of Saul E. Burian and Matthew Diaz [Dkt. 1417] (the "Debtor's Motion in Limine").
- CC. Debtor's February 7, 2022 Letter to the Court [Dkt. 1423].
- DD. Talc Committee II's Request for Judicial Notice [Dkt. 1428].
- EE. Response of Talc Committee I to Debtor's Motion in Limine [Dkt. 1434].
- FF. Talc Committee II's Response to Debtor's Motion in Limine [Dkt. 1438].
- GG. Debtor's Objections to Arnold & Itkin's and Talc Committee II's Motions to Exclude the Expert Reports of Debtor's Proffered Expert Witnesses John R. Castellano and Gregory K. Bell, Ph.D and Related Testimony [Dkt. 1440].
- HH. Order Denying Motions in Limine [Dkt. 1454].
- II. Joint Response of Talc Committee I & Talc Committee II to the Canadian Class Action Plaintiffs' Opposition to Motions to Dismiss Chapter 11 Case [Dkt. 1457].

Objections Received:

- A. Debtor's Objection to Motions to Dismiss Chapter 11 Case [Dkt. 956] (the "Debtor's Objection").
- B. Canadian Class Action Plaintiffs' Opposition to Motions to Dismiss Chapter 11 Case [Dkt. 1432] (the "Canadian Plaintiffs' Opposition").
- C. Debtor's Sur-Reply in Opposition to Motions to Dismiss Chapter 11 Case [Dkt. 1444] (the "Debtor's Sur-Reply").
- 6. Motion of Arnold & Itkin LLP to Dismiss Bankruptcy Case [Dkt. 766] (the "A&I Motion to Dismiss").

Status: This matter is going forward on February 14, 2022.

Objection Deadline: December 22, 2021.

Related Documents:

- A. The AWKO Joinder.
- B. Arnold & Itkin's December 13, 2021 Letter to the Court [Dkt. 1026].
- C. The Barnes Law Group Joinder.
- D. The A&I Reply.
- E. The A&I Motion to Seal.
- F. The Talc Committee I Reply.
- G. The Talc Committee II Reply.
- H. Arnold & Itkin LLP Motion in Limine to Exclude Dr. Gregory K. Bell [Dkt. 1380].
- I. Debtor's Objections to Arnold & Itkin's and Talc Committee II's Motions to Exclude the Expert Reports of Debtor's Proffered Expert Witnesses John R. Castellano and Gregory K. Bell, Ph.D and Related Testimony [Dkt. 1440].
- J. Order Denying Motions in Limine [Dkt. 1454].
- K. Joint Response of Talc Committee I & Talc Committee II to the Canadian Class Action Plaintiffs' Opposition to Motions to Dismiss Chapter 11 Case [Dkt. 1457].

Objections Received:

- A. The Debtor's Objection.
- B. The Canadian Plaintiffs' Objection.
- C. The Debtor's Sur-Reply.

MATTERS GOING FORWARD IN THE ADVERSARY PROCEEDING

UNCONTESTED MATTER GOING FORWARD

- 7. Debtor's Motion to Seal Certain Confidential Exhibits from North Carolina Preliminary Injunction Hearing [Adv. Pro. Dkt. 134]² (the "Debtor's Motion to Seal").

Status: This matter is going forward on February 14, 2022.

Objection Deadline: January 4, 2022.

Related Documents:

- A. Declaration of Mark W. Rasmussen in Support of Debtor's Motion to Seal [Adv. Pro. Dkt. 135].
- B. Exhibits in Support of Debtor's Motion to Seal [Adv. Pro. Dkt. 136].
- C. Exhibits in Support of Debtor's Motion to Seal [Adv. Pro. Dkt. 137].
- D. Exhibits in Support of Debtor's Motion to Seal [Adv. Pro. Dkt. 138].

Objections Received: None.

CONTESTED MATTER GOING FORWARD

- 8. Debtor's Motion for an Order (I) Declaring That the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 2].

Status: This matter is going forward on February 18, 2022.

Objection Deadline: December 22, 2021

² Filings in the Adversary Proceeding, 21-03032 (MBK), will be abbreviated as "Adv. Pro. Dkt." while filings in the Base Case, 21-30589 (MBK), will be abbreviated as "Dkt.".

Related Documents:

- A. Debtor's Complaint for Declaratory and Injunctive Relief (I) Declaring That the Automatic Stay Applies to Certain Actions Against Non-Debtors or, (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 1].
- B. Supplemental Declaration of John K. Kim in Support of Debtor's Complaint for Declaratory and Injunctive Relief and Related Motions [Adv. Pro. Dkt. 3].
- C. Declaration of John K. Kim in Support of First Day Pleadings [Dkt. 5].
- D. Summons Issued on Those Parties Listed on Appendix A to the Complaint and John and Jane Does 1-1000 [Adv. Pro. Dkt. 10].
- E. Order Regarding Debtor's Motion for an Order (I) Declaring the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions, and (III) Granting A Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 28].
- F. Exhibit List from Hearing Held on October 22, 2021 [Adv. Pro. Dkt. 40].
- G. Notice of Filing of Declarations in Support of Debtor's Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 51].
- H. Joint Designation of Exhibits and Witnesses of Certain Mesothelioma Claimants and the MDL Plaintiffs' Steering Committee [Adv. Pro. Dkt. 57].
- I. Debtor's Omnibus Reply in Support of (I) Motion to Enforce the Automatic Stay and (II) Motion for an Order (A) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (B) Preliminarily Enjoining Such Actions and (C) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 58].
- J. Notice of Filing Amended Appendix A to the Debtor's Complaint for Declaratory and Injunctive Relief [Adv. Pro. Dkt. 60].
- K. Notice of Filing of Debtor's Identification of Witnesses and Exhibits [Adv. Pro. Dkt. 61].
- L. Certain Mesothelioma Claimants' Motion to Restrict Public Access to Exhibits Filed in Support of Memorandum of Law in Opposition to the Debtor's Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 66] (the "Claimants' Motion to Seal").

- M. Certain Mesothelioma Claimants' Motion to Restrict Public Access to Amended Exhibits Filed in Support of Memorandum of Law in Opposition to the Debtor's Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 67] (the "Claimants' Motion to Seal Amended Exhibits").
- N. Order Granting Claimants' Motion to Seal [Adv. Pro. Dkt. 71].
- O. Order Granting Claimants Motion to Seal Amended Exhibits [Adv. Pro. Dkt. 72].
- P. Order Regarding Discovery, Briefing Schedule, and Hearing Time Allocation [Adv. Pro. Dkt. 73].
- Q. Exhibit List from Hearing Held on November 5, 2021 [Adv. Pro. Dkt. 75].
- R. Notice of Exhibits Presented at November 5, 2021 Hearing by Joseph Satterley [Adv. Pro. Dkt. 92].
- S. Order Granting the Debtor's Request for Preliminary Injunctive Relief [Adv. Pro. Dkt. 102].
- T. Inter District Transfer of Case [Adv. Pro. Dkt. 103].
- U. Talc Committee's Motion for Withdrawal of the Reference of Adversary Proceeding No. 21-03032 (MBK) [Adv. Pro. Dkt. 110].
- V. Debtor's Supplemental Memorandum of Law in Support of Preliminary Injunction Motion [Adv. Pro. Dkt. 128].
- W. Debtor's Omnibus Reply in Support of Motion for an Order (A) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (B) Preliminarily Enjoining Such Actions and (C) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 146].
- X. Talc Committee I and Talc Committee II's January 7, 2022 Letter to the Court [Adv. Pro. Dkt. 149].
- Y. Debtor's January 9, 2022 Letter to the Court [Adv. Pro. Dkt. 150].
- Z. United States District Court of New Jersey Order Denying Motion to Withdraw Reference [Adv. Pro. Dkt. 153].
- AA. Talc Committee I's January 13, 2022 Letter to the Court [Dkt. 1145].
- BB. Debtor's January 14, 2022 Letter to the Court [Dkt. 1150].
- CC. Bridge Order Extending Termination Date of Order Granting the Debtor's Request for Preliminary Injunctive Relief [Adv. Pro. Dkt. 157].

DD. United States District Court of New Jersey Opinion Denying Motion to Withdraw Reference [Adv. Pro. Dkt. 162].

EE. Debtor's February 7, 2022 Letter to the Court [Adv. Pro. Dkt. 167].

FF. Talc Committee II's February 8, 2022 Letter to the Court [Adv. Pro. Dkt. 169].

Objections Received:

GG. Certain Mesothelioma Claimants' Memorandum of Law in Opposition to the Debtor's Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 44] (the "Claimants' Opposition").

HH. Opposition of Aylstock, Witkin, Kreis & Overholtz, PLLC to Debtor's Request for Preliminary Injunctive Relief [Adv. Pro. Dkt. 45].

II. Exhibits 1-9 to the Claimants' Opposition [Adv. Pro. Dkt. 46].

JJ. Plaintiffs' Steering Committee Response [Adv. Pro. Dkt. 49].

KK. Onderlaw, LLCs Objection To Debtors (I) Emergency Motion Enforce the Automatic Stay and (II) Motion For Preliminary Injunction; and Joinder To MDL Plaintiffs Steering Committee Memorandum of Law [Adv. Pro. Dkt. 50].

LL. Joinder of Claimants Represented by The Barnes Law Group to Responses Filed by the MDL Plaintiffs' Steering Committee and Certain Mesothelioma Claimants in Opposition to the Debtor's Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 52].

MM. Amended Exhibits 21, 71, 74 and 95 to the Claimants' Opposition [Adv. Pro. Dkt. 56].

NN. Limited Objection and Reservation of Rights of the New Jersey Coverage Action Plaintiff-Insurers Regarding Debtor's Preliminary Injunction Motion [Adv. Pro. Dkt. 141].

OO. Talc Committee's Objection to Debtor's Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adv. Pro. Dkt. 142].

PP. Aylstock, Witkin, Kreis & Overholtz, PLLC Opposition to Debtor's Renewed Request for Injunctive Relief in Opposition to Debtor's Renewed Request for Injunctive Relief [Adv. Pro. Dkt. 143].

Dated: February 10, 2022

WOLLMUTH MAHER & DEUTSCH LLP

/s/ Paul R. DeFilippo

Paul R. DeFilippo, Esq.

James N. Lawlor, Esq.

Joseph F. Pacelli, Esq. (*pro hac vice*)

500 Fifth Avenue

New York, New York 10110

Telephone: (212) 382-3300

Facsimile: (212) 382-0050

pdefilippo@wmd-law.com

jlawlor@wmd-law.com

jpacelli@wmd-law.com

JONES DAY

Gregory M. Gordon, Esq.

Brad B. Erens, Esq.

Dan B. Prieto, Esq.

Amanda Rush, Esq.

2727 N. Harwood Street

Dallas, Texas 75201

Telephone: (214) 220-3939

Facsimile: (214) 969-5100

gmgordon@jonesday.com

bberens@jonesday.com

dbprieto@jonesday.com

asrush@jonesday.com

(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTOR